

EXECUTIVE SUMMARY
OCCUPATIONAL SAFETY AND HEALTH
APPEALS BOARD

Summary of John M. Frank Construction – Decision After Reconsideration

The stipulation of the parties that the classification of serious was correct waived the issue of whether employer acted reasonably regarding its knowledge of the violation. The ALJ's conclusion that the Employer was in a position to abate the violation is supported by substantial evidence.

John M. Frank Construction 06-968
March 26, 2012

3646(a)